
Z-2463
ALAN COOPER ET AL
GB to R1

STAFF REPORT
September 15, 2011

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NECESSARY PLAN COMMISSION ACTION:

Per Indiana Code § 36-7-4-604, Notice to Interested Parties must be sent out ten working days prior to a hearing. The Area Plan Commission office received the certified Notice to Interested Parties for this case on September 12, postmarked September 9. That satisfied statutory requirements. However, there was a typo in this notice that indicated the zoning request was *R1 to GB*, instead of *GB to R1*. Petitioners' representative then sent an Amended Notice to Interested Parties that corrected the typo; this certified notice was also received September 12, but postmarked the same date—one day later than required. The Area Plan Commission will need to make the decision if adequate notice was given to Interested Parties and whether this case can be heard at the September 21, 2011 hearing. Jay will be prepared to give his opinion at the meeting.

REQUEST MADE, PROPOSED USE, LOCATION:

Petitioner, with consent of owners and represented by Joseph Bumbleburg, are requesting rezoning of three tracts located at 2613, 2561 and 2559 Old US 231 South. The properties are located off of Old US 231, just south of the railroad tracks in the city of Lafayette, Fairfield 32 (SW) 23-4.

ZONING HISTORY AND AREA ZONING PATTERNS:

These properties, annexed by the city in 2001, has been zoned GB since 1969 as shown on some of the earliest county zoning maps.

Properties lining both sides of Old US 231 lying south of the railroad tracks and north of Beck Lane are primarily zoned GB, General Business with the exception of a small tract of A-zoned ground on the north side of Beck. Farther to the west and north, zoning becomes primarily residential.

AREA LAND USE PATTERNS:

The subject properties are currently used residentially and have been since at least the 1960s. Abutting to the west are commercial uses: a banquet/catering facility, a local tavern, a former used car dealership, self-storage mini warehouses and a gas station.

Residential uses are more prevalent on the east side of the railroad tracks and farther west of Old 231.

TRAFFIC AND TRANSPORTATION:

Access to the properties is gained from Old US 231 via existing gravel driveways. 2561 has a single driveway which runs parallel to the railroad; 2613 and 2559 can be accessed via a branch off the driveway to 2561 or a separate drive that runs between the storage warehouses and abandoned car lot.

ENVIRONMENTAL AND UTILITY CONSIDERATIONS:

According to the Lafayette City Engineer's office, these properties are still on well and septic. The nearest public sewer is over 300' away on Old 231 and the city could not require hookup from that distance when the property was annexed; public water is not currently available.

STAFF COMMENTS:

The houses on these properties were, according to Assessor's records, built in the 1960s and have been used residentially since. When zoning was implemented in the county and up until the adoption of NUZO in 1998, single family homes were permitted in the GB zone. It was only after 1998 that these homes became non-conforming. Granting this rezone request will make the uses conforming.

With its lack of utilities and no direct access to Old US 231, staff cannot foresee this area further developing or being used as anything but residential.

STAFF RECOMMENDATION:

Approval